

Message Text

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PAGE 01 NICOSI 00238 251556Z
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----251749Z 038745 /42

R 251525Z JAN 77
FM AMEMBASSY NICOSIA
TO SECSTATE WASHDC 5212

S E C R E T NICOSIA 0238

EXDIS

E.O. 11652: XGDS-2
TAGS: PFOR, SY, CY, US
SUBJECT: DAVIES CASE

1. JOHN PHERSON HAS RETURNED TO NICOSIA TO RESUME HIS EFFORTS
IN DAVIES MURDER INVESTIGATION. HE MET WITH CYPOL ASST
COMMANDER DEMETRIOU ON SATURDAY, JAN 22 TO BE BROUGHT UP TO
DATE ON THE CASE.

2. DEMETRIOU HAS ADVISED THAT GOC ATTORNEY GENERAL IS PRESSING
CYPOL TO COMPLETE THE INVESTIGATION BY C.O.B. JAN 29, 1977. AS
A RESULT, THERE IS A FLURRY OF ACTIVITY ON CYPOL'S PART.
AREAS OF PRIMARY INTEREST INCLUDE:

A. ADMISSIBILITY OF THE ABC AND NBC FILM COVERAGE--DEMETRIOU
TAKES THE POSITION THAT GOC WILL HAVE A MUCH STRONGER CASE IF
THE FILM COVERAGE LOANED TO CYPOL BY PHERSON CAN BE INTRODUCED
INTO EVIDENCE. DEMETRIOU UNDERSTANDS THAT IF THIS WERE TO
HAPPEN IT WOULD BE NECESSARY TO ESTABLISH THE CHAIN OF EVIDENCE,
I.E., TO IDENTIFY THE FILM COMPANIES, THE COMMENTATORS, THE
WHEREABOUTS OF THE FILM FROM AUGUST 19, 1974, UNTIL THE DATE
OF THE TRIAL, ETC. WE HAVE REMINDED DEMETRIOU OF THE CAVEATS
WE AGREED TO WITH THE FILM COMPANIES WHICH EFFECTIVELY PRECLUDE
THE FILM BEING USED AS EVIDENCE--WHILE PERMITTING ITS USE BY
CYPOL AS LEAD-SOURCE MATERIAL. (COMMENT: WE ARE SOMEWHAT
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CONCERNED THAT THIS TALK MAY REPRESENT AN EFFORT BY CYPOL TO
JUSTIFY A LESS-THAN-FORCEFUL PRESENTATION ON THE GROUNDS THAT
THE "BEST EVIDENCE" WAS DENIED THEM. END COMMENT)

B. THE SPECIFIC PLACE FORM WHERE THE FATAL SHOTS WERE FIRED--
CYPOL IS NOW PLOTTING THE PROBABLE COURSE OF THE FATAL SHOTS.
ALTHOUGH THIS GAP IN THEIR INVESTIGATIVE COVERAGE WAS BROUGHT

TO CYPOL'S ATTENTION MONTHS AGO, NOTHING HAD BEEN DONE. EARLIER TODAY, JAN 25, WE REMOVED THE HEAVY STEEL PLATE WHICH WAS INSTALLED TO COVER THE WINDOW AREA IN THE AMBASSADOR'S OFFICE THROUGH WHICH THE SHOTS WERE FIRED. THE ORIGINAL WINDOWS ARE STILL IN PLACE, SHOWING A NUMBER OF BULLET HOLES. CYPOL IS NOW RE-PHOTOGRAPHING THE AREA AND, WITH THE ASSISTANCE OF THE GOC LANDS AND SURVEYS DEPT, IS PLOTTING THE PROBABLE COURSE OF THE FATAL SHOTS.

C. DEFINITION OF THE SPECIFIC CHARGES--DEMETRIOU HAS INDICATED THE CHARGES AGAINST VARIOUS PERSONS, AS RECOMMENDED BY CYPOL, MAY RANGE FROM MURDER TO INCITING A RIOT. HE FORESEES A MAXIMUM OF EIGHT INDICTMENTS. HE IS WITHHOLDING SPECIFIC CONCLUSIONS UNTIL THE LAST MINUTE. HE IS STILL PURSUING NEW LEADS STEMMING FROM THE MOST RECENT PHOTOS PERSON BROUGHT BACK FROM WASHINGTON.

3. PERSON WILL BE WORKING CLOSELY WITH DEMETRIOU AND INSPECTOR PETRIDES DURING THE REMAINDER OF THE WEEK. IT WILL BE A CRITICAL PERIOD IN THE DAVIES INVESTIGATION BECAUSE DURING THIS PERIOD THE ACTUAL RECOMMENDATIONS FOR INDICTMENT WILL BE FORMULATED. ALTHOUGH THE ATTORNEY GENERAL WILL NOT BE STRICTLY BOUND BY THE CYPOL RECOMMENDATIONS AS TO SPECIFIC CHARGES, WE BELIEVE THAT THEY WILL CARRY MUCH WEIGHT. REALISTIC RECOMMENDATIONS SUPPORTED BY GOOD EVIDENCE WILL BE INDICATIVE OF THE GOC'S GOOD FAITH IN BRINGING THE DAVIES KILLERS TO TRIAL UNDER SUSTAINABLE INDICTMENTS.

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PROGRESS REPORTS, INVESTIGATIONS, DEATHS, AMBASSADORS
Control Number: n/a
Copy: SINGLE
Sent Date: 25-Jan-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977NICOSI00238
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X2
Errors: N/A
Expiration:
Film Number: D770027-0033
Format: TEL
From: NICOSIA
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770121/aaaaarvq.tel
Line Count: 89
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e56d9ed1-c288-dd11-92da-001cc4696bcc
Office: ACTION SS
Original Classification: SECRET
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: EXDIS
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 12-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3511136
Secure: OPEN
Status: NATIVE
Subject: DAVIES CASE
TAGS: PFOR, SY, CY, US, (DAVIES, RODGER P)
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/e56d9ed1-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009